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2
3 BILL NO. Z-75-12- 43

4 ZONING MAP ORDINANCE NO. 7 

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. B-12

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
8 WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is hereby designated
10 a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort
11 Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments
12 thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-12 referred
13 to therein, established by Section 9, Article III of said Chapter as amended, is
14 hereby changed accordingly, to-wit:

15
16 Lots numbered 1, 2, and 3 in Glen Coe Park Addition to the City of
17 Fort Wayne, Indiana, and 0.296 acres in the Northwest part of Lot
18 numbered 1 in Bittersweet Gardens Addition to the City of Fort
19 Wayne, Indiana, specifically described as follows: commencing at
20 the Northwest corner of Lot numbered 1 in Bittersweet Gardens Addition,
21 thence East along the South line of Glen Coe Park Addition a
22 distance of 175.6 feet to the Southeast corner of Lot numbered 5 in
23 said Glen Coe Park Addition, thence south a distance of 52 feet to a
24 point, thence South 47 degrees 40 minutes West a distance of 129.6
25 feet to a point on the East right of way of the Old Decatur Road, thence
26 North 42 degrees 20 minutes West along said right of way a distance
27 of 130 feet to the point of beginning.

28 SECTION 2. This Ordinance shall be in full force and effect from
29 and after its passage, approval by the Mayor and legal publication thereof.

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Councilman

APPROVED AS TO FORM
AND LEGALITY.


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted. read the second time by title and referred to the Committee on Regulations ^{and the City} (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 12-23-75

Charles W. Stier
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.
~~Passed~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>0</u>	<u>9</u>			
BURNS		<u>X</u>			
HINGA		<u>X</u>			
HUNTER		<u>X</u>			
MOSES		<u>X</u>			
NUCKOLS		<u>X</u>			
SCHMIDT, D.		<u>X</u>			
SCHMIDT, V.		<u>X</u>			
STIER		<u>X</u>			
TALARICO		<u>X</u>			

DATE: 3-9-76

Charles W. Stier
CITY CLERK

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197_____.~~

ATTEST:

(SEAL)

Charles W. Stier
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197_____, at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Stier
CITY CLERK

Approved and signed by me this _____ day of _____, 197_____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 23, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-12-43; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

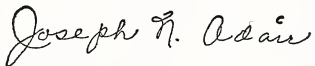
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 9, 1976.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 23, 1976.

Certified and signed this
1st day of March, 1976.



Joseph N. Adair
Secretary

Bill No. Z-75-12-43

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. B-12

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do not PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

CONCURRED IN

DATE 3-9-76 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 041

FT. WAYNE, IND.,

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

Dec 2 75

19

Barret, Barret Mc Nagary \$ 50.00

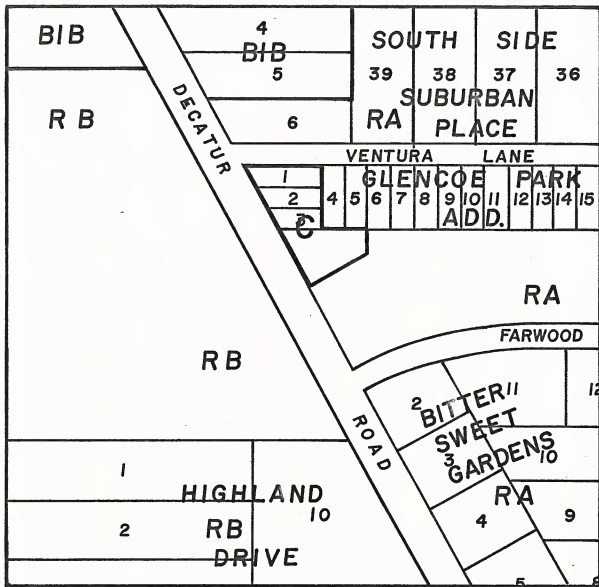
Fifty dollars

DOLLARS

Reaming - 6001 Decatur Rd

Hani Chickster

AUTHORIZED SIGNATURE



C CHANGE FROM RI TO BIB

2-75-12-43

N



TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Norman A. Pontius and Jeffrey A. Schumacher
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,
by reclassifying from a/an R-1 district to a/an B-1-B district the
property described as follows:

See attached survey for legal description. Real Estate commonly known
as 6001 Decatur Road, Fort Wayne, Indiana, 46816.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum
(51%) or more of the property described in this petition.

Norman A. Pontius 5018 Lancelot Ct.

Fort Wayne, Ind. 46805

Jeffrey A. Schumacher 1622 Stanley Ave.

Fort Wayne, Ind. 46805

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney ~~XXXXXXX~~:

Wayne L. Witmer 395 Lincoln Bank Tower

(Name)

(Address)

Fort Wayne, Indiana

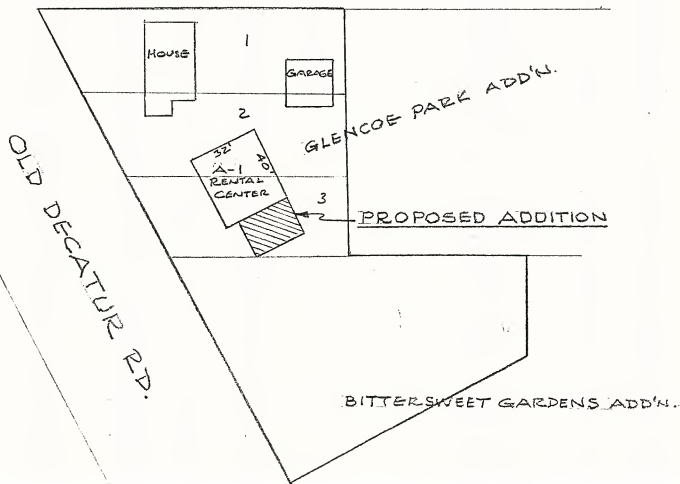
423-9551
(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,
INDIANA, 46802 Telephone Number: 423-7571

The petitioners are currently doing business as A-1 Rental Center in the building identified as a 32' x 40' cement block building on the plat of Lots 1, 2, and 3 of Glencoe Park Addition and the northwest corner of Bittersweet Gardens Addition. Present zoning is R-1 but used as B-1-B under "prior existing but nonconforming use." Under this restriction petitioners are not permitted to enlarge the business building on the exterior.

It is the intention of the petitioners to continue the operation of A-1 Rental Center at this location, substantially as it is now being operated, throughout the foreseeable future. However, it is desirable for reasons of efficiency and business promotion to modernize this facility. Toward that end it is proposed to construct an addition to the building of 400 to 600 square feet approximately as shown in the accompanying sketch below to serve as a showroom for rental equipment. Proposed construction would be of cement block on a poured slab designed to integrate with the existing structure. The interior would have finished walls, tile floor, and modern business fixtures. Accompanying improvements would include upgrading of the electrical and plumbing systems and customer parking areas; the whole to be integrated in design with the existing building which has recently been improved by the petitioners with a new facade. A natural consequence of this modernization would be a substantial improvement in the appearance of the property, and hence, of the neighborhood.

VENTURA LN.



Certificate of Survey

The undersigned Engineer, Registered as provided by an Act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of

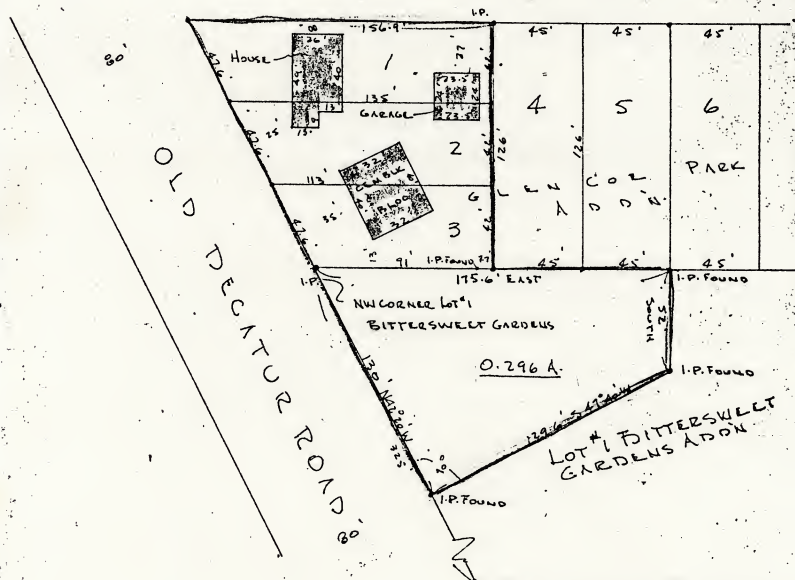
Lots numbered 1, 2, and 3 in Glen Coe Park Addition to the City of Fort Wayne, Indiana, and 0.296 acres in the Northwest part of Lot numbered 1 in Bittersweet Gardens Addition to the City of Fort Wayne, Indiana, specifically described as follows: commencing at the Northwest corner of Lot numbered 1 in Bittersweet Gardens Addition, thence East along the South line of Glen Coe Park Addition a distance of 175.6 feet to the Southeast corner of Lot numbered 5 in said Glen Coe Park Addition, thence South a distance of 52 feet to a point, thence South 47 degrees 40 minutes West a distance of

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen

County, Indiana. No encroachments or overhang existed, except as noted hereon, and the dimensions and lines of the property are indicated on the following plat.

129.5 feet to a point on the East right of way of the Old Decatur Road, thence North 42 degrees 20 minutes West along said right of way a distance of 130 feet to the point of beginning.

FAKE ROAD (VENTURA LANE)



FARWOOD AVENUE

Surveyed 3-16-74

For Robert Berning, Attorney

Survey No. 2374



The above Survey, Plat and Certificate are hereby certified correct:

Wm C Baer

REGISTERED PROFESSIONAL ENGINEER
AND LAND SURVEYOR

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-75-12-43DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property: Lots # 1, 2 & 3 in Glen Coe Park Addition, and
one (1) acres, more or less, in Bittersweet Garden's Addition, commonly known

as 6001 Decatur Road, generally located on the southeast corner of Decatur
Road and Ventura Lane.

From "R1" to "B1B"

EFFECT OF PASSAGE Property is presently zoned "R1" District - One Family
Residential. Petitioners are requesting a "B1B" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain an "R1" District

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation J.B.